

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

MARK STEPHENS,

Case No. 3:21-cv-00241-jdp

Plaintiff,

v.

AMERICAN FAMILY MUTUAL
INSURANCE COMPANY, S.I.,

Defendant.

DECLARATION WILLIAM F. SULTON

NOW COMES Attorney William F. Sulton who, pursuant to 28 U.S.C. § 1746(2), declares as follows:

1. I am lawyer licensed to practice law in the State of Wisconsin and admitted to practice before the U.S. District Court for the Western District of Wisconsin.

2. I represented Plaintiff Mark Stephens (“Mr. Stephens”) in Dane County Circuit Court case number 2019CV001863, *American Family Mut. Ins. Co., S.I. v. Mark Stephens*.

3. Dkt. 44-9 (Exhibit 30) is a true and correct copy of email exchanges between me and American Family’s attorney, Thomas O’Day (“Atty. O’Day”).

4. On August 22, 2019, Mr. Stephens asked American Family to voluntarily dismiss its lawsuit.

5. On August 22, 2019, Mr. Stephens told American Family that he would not waive or forfeit his right to pursue a race discrimination case against American Family.

6. American Family did not serve responses to discovery requests that sought, among other things, information about American Family's alleged damages, attorneys' fee, and costs.

7. In June 2020, American Family asked Mr. Stephens to sign a stipulation for voluntary dismissal of American Family's lawsuit—jettisoning its demand that Mr. Stephens sign a release of his discrimination and retaliation claims.

I declare under penalty of perjury that the foregoing is true and correct. Executed within the United States of America on March 8, 2022.

/s/ William F. Sulton
WILLIAM F. SULTON

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